

STATE OF NEW HAMPSHIRE
DEPARTMENT OF STATE

IN THE MATTER OF:)
)
)
Local Government Center, Inc.;)
Government Center Real Estate, Inc.;)
Local Government Center Health Trust, LLC;)
Local Government Center Property-Liability Trust,)
 LLC;)
Health Trust, Inc.;)
New Hampshire Municipal Association Property-Liability) Case No.: C-2011000036
 Trust, Inc.:)
LGC – HT, LLC)
Local Government Center Workers’ Compensation)
 Trust, LLC;)
And the following individuals:)
Maura Carroll; Keith R. Burke; Stephen A. Moltenbrey;)
Paul G. Beecher; Robert A. Berry; Roderick MacDonald;)
Peter J. Curro; April D. Whittaker; Timothy J. Ruehr;)
Julia A. Griffin; and John Andrews)
)
RESPONDENTS)

**ORDER EXPANDING REQUIREMENTS FOR PROTECTIVE AND CONFIDENTIAL
TREATMENT OF INFORMATION**

On December 23, an order was issued regarding protective and confidential treatment of protected health information. The respondent Andrews filed a response on December 22, 2012 to the underlying motion of BSR that prompted the issuance of the December 23, 2011 protective order. The Andrews’ response, in essence, requested that the protective and confidential treatment of information required of BSR in that order be expanded to cover others. Among other provisions of the December 23, 2011 order was the following reference describing which categories of individuals were to be considered within the span of the protective order:

BSR...[meaning] any individual examining or using the information referred to herein on behalf of the Bureau of Securities Regulation, including its own attorneys and personnel necessary to its preparation and participation in this administrative proceeding and any other attorneys, experts, or consultants acting as its agents, independent contractors, or employees who are necessary to that same preparation and participation.

The order continued using the “BSR” reference as a collective term when ordering specific relief. The order also contained the provision:

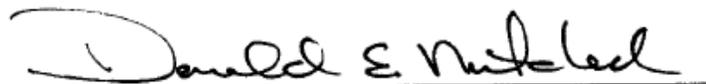
C. All parties are prohibited from using or disclosing the protected health information for any purpose other than these administrative proceedings for which such information was requested.

The intent of the order was to primarily address the conduct of the BSR as the moving party requesting access to the protected health information and included the general prohibition to “all parties” to act in a similar fashion with the treatment accorded protected health information. In the event that any individual involved in these proceedings believes that he or she is not subject to the provisions of HIPAA or of the previously issued order,

It is hereby ordered that:

All parties and any individuals acting on behalf of those parties are subject to the same terms and conditions required of the BSR in the December 23, 2011 order related to the protective and confidential treatment of protected health information.

So ordered, this 3rd day of January, 2012



Donald E. Mitchell, Esq.
Presiding Officer

SERVICE LIST

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